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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KENT D. CHAPMAN
SHEA AUSTIN-BROWN

Serial No.: 09/702,374

Filed: October 30, 2000

For: METHODS FOR EXTENDING THE
FRESHNESS OF CUT FLOWERS,
ORNAMENTAL TREES, AND PLANT
CUTTINGS

Group Art Unit: 3643

Examiner: C. Collins

Atty. Dkt. No.: 4380.000400

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING 37 C.F.R 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
June 29, 2001 _____ Date	 _____ Signature

In response to your Communication mailed June 6, 2001, enclosed are the following:

- (1) A Preliminary Amendment;
- (2) A statement that the content of this paper and computer readable copies are the same, and includes no new matter as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d);
- (3) A paper copy of the Sequence Listing;
- (4) A Computer readable form (CRF) copy of the Sequence Listing; and
- (5) A copy of the PTO Communication.

Should any fees under 37 C.F.R. §§1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan and Amerson, P.C. Deposit Account No. 50-0786/4380.000400.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

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Date: June 29, 2001

Mark Moore **TECH CENTER 1600/2900**

Mark D. Moore
Reg. No. 42,903
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AGENT FOR APPLICANTS



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/792,374 10/30/00 CHAPMAN K 4380.000400

HM12/0606

EXAMINER

MARK D. MOORE
WILLIAMS, MORGAN & AMERSON P.C.
7676 HILLMONT SUITE 250
HOUSTON TX 77040

COLLINS, C

ART UNIT

PAPER NUMBER

DOCKETING DEPT

1638

DATE MAILED:

06/06/01

JUN 14 2001

WILLIAMS, MORGAN & AMERSON

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/702374	10/30/2000	CHAPMAN, KENT D.	4380.000400

EXAMINER	
Cynthia Collins	
ART UNIT	PAPER NUMBER
1638	4

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. The reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

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APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN ~~TO 3600 MAIL ROOM~~ WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.R.F. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Cynthia Collins whose telephone number is (703) 605-1210. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Paula Hutzell whose telephone number is (703) 308-4310. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

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Sig listing is due
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[Handwritten signature]

Cynthia Collins June 5, 2001

ELIZABETH F. McELWAIN
PRIMARY EXAMINER
GROUP 1600
Elizabeth F. McElwain

TECH CENTER 1600/2900

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

JUL 06 2001

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the revisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: _____

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Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing" TECH CENTER 1600/2900
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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